

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

VS.

JAMES CHRISTOPHER BENVIE

Defendant

Case Number: M-19-333-STE

Charging District: District of New Mexico

Charging District's Case Number: CR-19-1715-RB

WAIVER OF RULE 5 and 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district:
the (name of other court) District of New Mexico.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise--unless I am indicted--to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing.
☐ production of the warrant.
☐ a preliminary hearing.
☐ a detention hearing.

I request that the following hearing(s) be held in the prosecuting district, at a time set by that court.

- ☐ a preliminary hearing.
☐ a detention hearing.

I realize that the detention hearing in the prosecuting district may not occur within the three and five day time limits, set forth in the Bail Reform Act, but I request the Court to find good cause to exceed those time limits if it takes the Marshal more time to transport me to the prosecuting district, as I want the hearing to be held in the prosecuting district.

6-21-19
Date

[Signature]
Defendant

[Signature]
Attorney for Defendant